

AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED SIXTEEN HUNDRED NINE, ENTITLED "AN ACT TO ENCOURAGE AGRICULTURAL PRODUCTION BY MAKING FERTILIZERS AVAILABLE TO FARMERS ...

REPUBLIC ACT NO. 2076, June 13, 1958

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section two of Republic Act Numbered Sixteen hundred and nine is amended to read as follows:

"SEC. 2. The government shall purchase fertilizers and soil conditioners in the manner hereinafter provided, and shall sell the same to farmers in the manner herein provided, according to the following schedule of prices:

Sulphate or ammonia (synthetic crystalline)

P70 per ton

Phosphate of ammonia

90 per ton

Superphosphate

60 per ton

Sulphate of potash

80 per ton

Muriate of potash

80 per ton

Organic fertilizer and soil conditioner

Not less than

50 per ton

Provided, That mixed fertilizers shall be priced according to the cost herein provided for the various components of the mixture plus a reasonable charge for manufacturing; And provided, further, That the prices hereinabove provided shall be for fertilizers and soil conditioners in standard six-ply paper bags, asphalt laminated, ex-warehouse Manila basis, the necessary transportation and handling expenses shall be added to the price for points outside Manila."

SEC. 2. Section three of the same Act is hereby amended to read as follows:

"SEC. 3. Only bona fide farmers shall be eligible to purchase fertilizers and soil conditioners under this Act and they shall be allowed to purchase only those types and in the quantities which the field agents of the

Bureau of Agricultural Extension shall certify jointly with the municipal agriculturist to be actually necessary for their own planting operations.

"In making the certification provided in the first paragraph hereof, the officials concerned shall be guided by a national program for the allocation and distribution of fertilizers and soil conditioners formulated by the Secretary of Agriculture and Natural Resources or by any council or committee designated by him for the purpose.

"In no case shall the fertilizers and soil conditioners acquired under this Act be resold or disposed of without previous approval from the Bureau of Agricultural Extension."

SEC. 3. Section four of the same Act is amended to read as follows:

"SEC. 4. The ACCFA is hereby designated and directed to administer the distribution of fertilizers and soil conditioners through the facilities of farmers' cooperative marketing associations and their federations or other farmers' cooperative associations or bona fide private farmers' organizations duly registered with the Department of Labor that are or may be organized in every town, and in towns where there are no farmers' cooperative marketing associations operating or doing business therein, other farmers' cooperative associations or bona fide private farmers' organizations through the Bureau of Agricultural Extension proportionately to the acreage devoted for agricultural production by province in accordance with the latest statistics of the Department of Agriculture and Natural Resources: Provided, That the fertilizer and soil conditioner shall be used for the purpose it is intended and shall not be channeled to the black market; and that the distributing agency of fertilizers and soil conditioners shall take all steps to prevent the waste and black marketing of the same, and shall provide the greatest publicity concerning their distribution, giving such information to the barrio councils or to any other civic organizations requesting such information: Provided, further, That in the distribution of fertilizers and soil conditioners preference be given to small farmers with landholdings not exceeding five hectares, except in the case of small farmers with landholdings of not exceeding two hectares who may be allowed to buy the fertilizers and soil conditioners on credit: Provided, further, That fertilizers and soil conditioners not exceeding one bag per farmer may be distributed free to indigent farmers who suffer losses due to crop failure because of calamitous events certified, to by the Director of the Bureau of Agricultural Extension, with the approval of the Secretary of Agriculture and Natural Resources: Provided, furthermore, That in the handling, warehousing, transporting, and trucking of said fertilizers and soil conditioners, only personnel and facilities of the farmers' cooperative marketing associations and their federations or bona fide private farmers' organizations or other farmers' cooperative associations shall be utilized: Provided, finally, That the ACCFA shall be responsible for delivering the fertilizers and soil conditioners to the farmers at the fertilizing period appropriate for the various crops of farmers throughout the Philippines."

SEC. 4. Section five of the same Act is amended to read as follows:

"SEC. 5. The ACCFA shall determine before the beginning of each crop year, in consultation with the Bureau of Agricultural Extension, the various commodity corporations, the various chambers of agriculture, the cooperative associations, and bona fide private farmers' organizations the aggregate fertilizer and soil conditioner requirements for the year, the actual needs and/or requirements per hectare of land according to the kind of crop or crops produced thereon, and the monthly schedule of procurement and delivery. The quantity of fertilizer and soil conditioner to be allotted to the farmer-applicants shall be on the basis of the actual needs and/or requirements of each kind of crop or crops per hectare as determined in the manner hereinabove described: Provided, however, That delivery and/or distribution of the fertilizers and soil conditioners shall be made by the ACCFA directly to the farmers concerned or, if such farmer or farmers is or are members of a cooperative association which is affiliated with the ACCFA, to said cooperative association: Provided, further, That in the event the funds made available to the ACCFA be less than what is appropriated, delivery and/or distribution shall be made proportionately on the basis of the actual needs or requirements of each kind of crop

or crops."

SEC. 5. Section, six of the same Act is amended to read as follows:

"SEC. 6. The ACCFA shall procure the fertilizers and soil conditioners in the quantities and types which are required at the lowest possible prices first from locally produced supplies and the balance from imports through public bidding to be conducted by a committee composed of the Secretary of Finance or his representative, as chairman, the Secretary of Agriculture and Natural Resources or his representative and a representative of the ACCFA, as members: Provided, That the Central Bank of the Philippines shall allocate the necessary dollars for the importation of said fertilizers and soil conditioners: And provided, further, That in order to assure the procurement and delivery of the aggregate fertilizer and soil conditioner requirements, the funds appropriated in section nine hereof shall be utilized solely for the purpose of paying the difference between the total price of purchases made and the selling price of the different kinds of fertilizer and soil conditioner as provided in section two hereof."

SEC. 6. Between section six and section seven of the same Act, the following new section is inserted:

"SEC. 6-A. Local purchases and/or importations made by the ACCFA of the aggregate fertilizer and soil conditioner requirements in compliance with the above sections shall be exempt from the payment of sale tax, all percentage taxes of whatever nature and description, including the special import tax."

SEC. 7. Section seven of the same Act is amended to read as follows:

"SEC. 7. The representatives of farmers' cooperative marketing associations and their federations may demand at any time that a bidding be called by the committee herein created, for the purpose of assuring procurement and delivery of their respective fertilizer and soil conditioner requirements on time."

SEC. 8. Section eight of the same Act is amended to read as follows:

"SEC. 8. Any official or employee of the ACCFA, or any official or employee of any farmers' cooperative association and their federation or bona fide private farmers' organization who shall discriminate in favor of or against any person or persons in violation of section three hereof, or who shall aid, abet, facilitate, or channel fertilizers and soil conditioners provided for in this Act to persons other than those embraced in section three hereof or who shall violate any provision of this Act shall be punished by a fine of not less than two thousand pesos or not more than five thousand pesos and imprisonment of not less than six months and not more than two years.

"Any farmer receiving fertilizers or soil conditioners under this Act who shall dispose of the same in any manner other than their application to his farm without previous approval from the Bureau of Agricultural Extension shall forfeit all rights to receive fertilizers or soil conditioners under this Act and shall, in addition, be punished by a fine of two thousand pesos or imprisonment of one year, or both.

"Any person who knowingly buys or receives from any farmer receiving fertilizers or soil conditioners under this Act without previous approval from the Bureau of Agricultural Extension, or any person or the president or manager of any juridical person who shall possess, deal in, sell, store, or export fertilizers or soil conditioners provided for in this Act, shall be punished with the same penalties prescribed in the preceding paragraph of this section."

SEC. 9. Section nine of the same Act is amended to read as follows:

"SEC. 9. There is hereby appropriated for the purpose of this Act an amount of twenty million pesos to be drawn every year and for a period of six years out of any funds in the National Treasury."

SEC 10. Section ten of the same Act is amended to read as follows:

"SEC. 10. This Act shall take effect upon its approval and for a period of six years from the date of its approval."

SEC. 11. This Act shall take effect upon its approval.

Approved, June 13, 1958.

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